



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, October 13, 2020
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
6. Advertised Hearings
 1. GENERAL ORDINANCE NO. 2191
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20
 2. GENERAL ORDINANCE NO. 2192
AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO INCLUDE A REPORT AND RECOMMENDATION OF THE WESTFIELD FIRE DEPARTMENT ON DEVELOPMENT APPLICATIONS
 3. GENERAL ORDINANCE NO. 2193
AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD BY DEFINING ARTISAN MANUFACTURING AND ESTABLISHING THEM AS A PERMITTED PRINCIPAL USE IN CERTAIN ZONE DISTRICTS
 4. GENERAL ORDINANCE NO. 2194
AN ORDINANCE AMENDING GENERAL ORDINANCE NO. 2171 PROVIDING FOR THE IMPLEMENTATION IN THE TOWN OF WESTFIELD OF THE "FIVE YEAR TAX EXEMPTION AND ABATEMENT LAW" PURSUANT TO N.J.S.A. 40A: 21-1
7. Approval of Minutes from Town Council Regular Meeting held September 22, 2020
8. Petitions and Communications

9. Open discussion by citizens
10. Bills and Claims in the amount of \$704,554.18
11. Reports of Standing Committees

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for September 2020
2. Resolution authorizing the Chief Financial Officer to draw a warrant to Treasurer, State of New Jersey for Marriage/Civil Union License Fees
3. Resolution authorizing the Chief Financial Officer to draw a warrant to the order of the Treasurer, State of New Jersey for Burial Permit Fees
4. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
5. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
6. Resolution authorizing the Chief Financial Officer for refund of tree permit
7. Resolution authorizing the Chief Financial Officer to draw warrant for third quarter Construction Official's State permit fees for 2020
8. Resolution authorizing the Chief Financial Officer to draw warrants for 2019 pursuant to Tax Court of NJ
9. Resolution authorizing the Tax Collector to participate in an electronic tax sale
10. Resolution authorizing the Chief Financial Officer to draw warrant for Risk Management Consultant Fee
11. Resolution awarding a contract for Municipal Energy Aggregation Program
12. Resolution awarding contract for Phase 2 of meeting room upgrades

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution delineating an area in need of rehabilitation

Public Works Committee

1. Resolution authorizing a re-bid for 2021 Curbside Collection of Recyclable Material

12. Reports of Department Heads

Adjournment

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
GENERAL ORDINANCE NO. 2191**

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I.

Chapter 20, Article I, Section 20-2 of the Town Code is hereby amended in its entirety to read as follows:

1. Sec. 20-2 "Permits; fees for same."

Where there is no existing sewer connection or an existing connection is to be altered, affected or disconnected and reconnected for one or more residential or other units, there is hereby imposed the following fees to be paid to the Town before such unit or units are connected:

- | | |
|-------------------------------------|--|
| a. Residential Use - New Connection | \$2,000 per individual dwelling unit |
| b. All other uses
part thereof | \$2,000 per equivalent dwelling unit (EDU), or |

For purposes of this section, each individual residential dwelling unit shall be deemed to constitute a single connection unit. An equivalent dwelling unit (EDU) shall be defined as three hundred (300) gallons per day average daily flow. In the case of any other types of structures or uses, permit fees shall be determined by the Town Engineer utilizing the design criteria suggested by the New Jersey Department of Environmental Protection or such other established and reliable sources, including but not limited to N.J.A.C. 7:14A-23.3. The minimum connection fee shall be equivalent to that of a single-family dwelling unit as specified herein.

There shall be a multiple-family residential connection fee payable to the Town of Westfield, covering multiple-family buildings, which shall equal the basic residential use connection fee times the number of equivalent dwelling units in any such building.

Prior to the issuance of a Certificate of Occupancy, and upon request from the Construction Official, the Town Engineer shall certify that all sewer permit fees have been paid in full to the Town.

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION III. In the event any section, part or provision of this ordinance shall be held unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof other than the part so held unconstitutional or invalid.

SECTION IV. This ordinance shall take effect after passage and publication, as soon as, and in the manner permitted by law.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2192

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO INCLUDE A
REPORT AND RECOMMENDATION OF THE WESTFIELD FIRE DEPARTMENT ON
DEVELOPMENT APPLICATIONS**

WHEREAS, it is the desire of the Town Council of the Town of Westfield to include departments and agencies of Westfield in the review process for land use applications; and

WHEREAS, the Land Use Ordinance does not presently specifically identify the Westfield Fire Department as a required referral on land use applications before the Planning Board or Zoning Board of Adjustment; and

WHEREAS, allowing for a report and recommendation of the Westfield Fire Department in the planning stages will improve the accessibility of apparatus and personnel and can help mitigate any access issues during a call for service; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. Article 8, Section 8.06 titled “General review procedures” is hereby amended and supplemented to renumber §8.06B(4) to §8.06B(5) and insert the new language below for §8.06B(4) to read:

“4. The Westfield Fire Department, which shall review and comment on the application; and”

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. This ordinance shall take effect after passage and publication in the manner provided by law

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2193

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD
BY DEFINING ARTISAN MANUFACTURING AND ESTABLISHING THEM AS A
PERMITTED PRINCIPAL USE IN CERTAIN ZONE DISTRICTS**

WHEREAS, periodic update of allowable uses within non-residential zone districts is desirable to help promote economic development and sustainability in Town; and

WHEREAS, commercial districts need to provide a variety of goods and services to serve residents and visitors to the community; and

WHEREAS, the Town Council does hereby find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

NOW, THEREFORE, BE IT THEREFORE ORDAINED by the Town Council of the Town of Westfield, in the County of Union and the State of New Jersey, as follows:

SECTION I. Article 2, Section 2.04 titled “DEFINITIONS; A” is hereby amended and supplemented to include a new definition for Artisan Manufacturing which shall be inserted as a new subsection R which shall read as set forth herein. The existing subsections R through W shall be re-lettered S through X respectively.

R. **Artisan Manufacturing.** The shared or individual use of hand-tools, mechanical tools and electronic tools, and which may include instruction in the use of those tools, for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods; printmaking; leather products; jewelry and clothing/apparel; metal work; wood work; furniture; glass or ceramic production; paper manufacturing. Artisan manufacturing uses shall include a retail sales component that is publicly accessible.

SECTION II. Article 11, Section 11.25 titled “CBD CENTRAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 12 which shall read as follows:

12. Artisan Manufacturing

SECTION III. Article 11, Section 11.26 titled “GB-1 GENERAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 12 which shall read as follows:

12. Artisan Manufacturing

SECTION IV. Article 11, Section 11.27 titled “GB-2 GENERAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 13 which shall read as follows:

13. Artisan Manufacturing

SECTION V. Article 11, Section 11.27 titled “GB-2 GENERAL BUSINESS DISTRICT”, subsection D. titled “Prohibited Uses and Structures”, subsection 1 is hereby amended to read as follows:

1. manufacturing, assembly or fabrication of goods or merchandise, except as part of uses determined to be Artisan Manufacturing as defined in Article 2.

SECTION VI. Article 11, Section 11.28 titled “GB-3 GENERAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 9 which shall read as follows:

9. Artisan Manufacturing

SECTION VII. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION VIII. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IX. This ordinance shall take effect after passage and publication in the manner provided by law.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2194

**AN ORDINANCE AMENDING GENERAL ORDINANCE
NO. 2171 PROVIDING FOR THE IMPLEMENTATION IN
THE TOWN OF WESTFIELD OF THE “FIVE YEAR TAX
EXEMPTION AND ABATEMENT LAW” PURSUANT TO
N.J.S.A. 40A: 21-1**

WHEREAS, pursuant to the Five-Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1, et seq.* (the “**Law**”), a municipality having within its corporate limits areas in need of rehabilitation or redevelopment, may, by ordinance, provide for the exemption and/or abatement of real property taxes, to encourage and provide incentives for the construction and rehabilitation of dwellings, multiple dwellings, mixed use structures and industrial and commercial structures; and

WHEREAS, on May 12, 2020, the Mayor and Council of the Town of Westfield (the “**Governing Body**”) adopted Resolution No. 108-2020 designating the Town’s downtown area which is coterminous with the Westfield Special Improvement District, as more particularly depicted and described in Exhibit A to the Resolution, as an area in need of rehabilitation pursuant to *N.J.S.A. 40A:12A-1, et seq.*; and

WHEREAS, on June 9, 2020, the Governing Body adopted General Ordinance No. 2171 providing for the implementation of the Law in the Town of Westfield (the “**Town**”) within the boundaries of the Rehabilitation Area; and

WHEREAS, on June 9, 2020, the Governing Body adopted General Ordinance No. 2171, entitled “An Ordinance Providing for the Implementation in the Town of Westfield of the, “*Five Year Tax Exemption and Abatement Law Pursuant to N.J.S.A. 40A:21-1*” (the “**Tax Exemption Ordinance**”); and

WHEREAS, on September 8, 2020, the Governing Body adopted Resolution No. 201-2020 referring a report entitled “*Town of Westfield Area in Need of Rehabilitation Study*” dated August 26, 2020, and a proposed resolution designating the entire Town as an area in need of rehabilitation (the “**Rehabilitation Designation Resolution**”); and

WHEREAS, on September 8, 2020, the Governing Body adopted General Ordinance No. 2183 entitled “*An Ordinance Establishing a Historic Preservation Commission and Providing for the Designation and Preservation of Historic Districts and Historic Landmarks in the Town of Westfield*” (the “**Historic Designation Ordinance**”); and

WHEREAS, the Historic Designation Ordinance establishes procedures for the dedication of certain properties in Town as “Historic Landmarks;” and

WHEREAS, the Planning Board has held a public hearing to determine whether or not the entire Town qualifies as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1-1, et seq.*, and has returned the Rehabilitation Designation Resolution to the Governing Body with a recommendation that the entire Town does qualify as an area in need of rehabilitation; and

WHEREAS, prior to or simultaneously with the adoption of this Ordinance, the Governing Body has adopted the Rehabilitation Designation Ordinance designating the entire Town as an area in need of rehabilitation; and

WHEREAS, the Governing Body desires to amend the Tax Exemption Ordinance to provide for real estate tax incentives for dwellings, multiple dwellings, mixed use structures and industrial and commercial structures (i) within the boundaries of the Special Improvement District and (ii) that are locally designated Historic Landmarks and/or are located within a locally designated Historic District in accordance with the Historic Designation Ordinance located outside the Special Improvement District, to encourage appropriate and sound development therein; and

WHEREAS, the Law provides for the exemption of assessments on improvements for five years following completion of a project as defined in the Law and the exemption or abatement of property taxes for new construction for a five-year period following completion of the project as defined in the Law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Westfield, that General Ordinance No. 2171 is hereby amended as follows:

1. Section 2 of General Ordinance No. 2171 (to be codified), entitled “**Applicability**” is hereby deleted and replaced with the following:

This ordinance shall be applicable to all properties that are (a) located within an area delineated by the Town as an area in need of rehabilitation pursuant to *N.J.S.A. 40A:12A-1, et seq.*, and (b) are (i) located within the Westfield Special Improvement District as set forth in Article X, Section 2-104 of the Town Ordinances, as may be amended, and/or (ii) locally designated as an Historic Landmark and/or are located within a locally designated Historic District pursuant to General Ordinance 2183.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$40.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of September 2020.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$650.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of July - September 2020.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$5.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of July - September 2020.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Teresa Culkin 537 St. Marks Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Playground 2020 Refund/Washington School Braeden Culkin	\$195.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

Ms. Sara Kisztelinski
1022 Tucana Drive
San Marcos, CA 92078

Amount of refund: \$975.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

WHEREAS, certain individuals submitted application and paid the required fee of \$50.00 for a Tree Permit; and

WHEREAS, it was determined after issuance of said permit that these individuals were exempt from the requirements of obtaining a tree permit.

NOW THEREFORE, BE IT RESOLVED that the Treasurer be and hereby is authorized to draw warrant to refund the following fees to the following individuals:

NAME ADDRESS	PERMIT NO.	AMOUNT	EXEMPTION DETERMINED BY
Elmar Martinez 49 Summit Court Westfield, NJ 07090	20-63	\$50.00	Westfield Public Works Forestry Division
Gregory M. Heintz 218 Seneca Place Westfield, NJ 07090	20-62	\$50.00	Westfield Public Works Forestry Division
Brian D. Stoudt Land Design 506 East Lancaster Ave Downingtown, PA 19335	20-28	\$50.00	Travis & Associates Pure Consulting Arborists

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$14,314.00 to the TREASURER, STATE OF NEW JERSEY for the third quarter Construction Official's State permit fees for 2020.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2019 pursuant to the Tax Court of New Jersey:

Block/Lot

<u>Name</u>	<u>Address</u>	<u>Year</u>	<u>Amount</u>
1410/9	409 Woodland Avenue	2019	<i>\$1,816.75</i>
Cravo, Valdemar & Nunes, Irene			
4703/24	835 Tice Place	2019	<i>\$2,064.00</i>
Bushinger, Brett & Alissa			

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of Westfield wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of Westfield, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis and has been a member since 1994; and

WHEREAS, the Bylaws of said funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Town of Westfield solicited requests for proposals for such services in accordance with G.O. 1753 of the Town of Westfield; and

WHEREAS, the Bylaws indicate that the commission rate shall not exceed six percent (6%) of the Member's Annual Assessment; and

WHEREAS, Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068 submitted a proposal to perform such services outlined for two percent (2%) of annual assessment; and

WHEREAS, the Bylaws of the aforesaid Fund require that in such case the municipality will make payment for such professional services directly to the Risk Management Consultant.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer of the Town of Westfield be, and hereby is, authorized and directed to draw warrant to the order of Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068, in the sum of \$11,663.32 representing the second half of the annual assessment.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO. 2020

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

WHEREAS, the Town Council for the Town of Westfield (the “Town”) intends to serve as the lead agency conducting a Government Energy Aggregation Program in the Town;

WHEREAS, in its capacity as lead agency and consistent with applicable rules, the Town of Westfield solicited proposals for the provision of electric generation services on behalf of residential customers within the boundaries of the Town; and

WHEREAS, Gabel Associates, 417 Denison Street, Highland Park, NJ 08904, has submitted a proposal dated October 7, 2020, indicating that Gabel Associates would provide the above-service at a total fee of \$.00078 per kWh of electricity used by those participating consumers enrolled in a Town of Westfield Municipal Energy Aggregation Program; and

WHEREAS, the Town has deemed that the background, experience, and qualifications of the Respondent herein satisfies the criteria set forth in the RFP; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby authorizes the Mayor to enter into a contract with Gabel Associates as described herein; and

BE IT FURTHER RESOLVED that the proper Town Officials be, hereby are, authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO. 2020

FINANCE POLICY COMMITTEE

OCTOBER 13, 2020

WHEREAS, a need exists for upgrades to the Town Council Chambers and other meeting rooms within the Town of Westfield Municipal Building; and

WHEREAS, at a meeting held June 4, 2019, the Town Council of the Town of Westfield adopted Resolution No. 143-2019, authorizing award of contract to Fraytak Veisz Hopkins Duthie P.C. (FVHD), Architects and Planners, 1515 Lower Ferry Road, Trenton, New Jersey 08618, to conduct a review and evaluation of each meeting room in connection with these upgrades, including mechanical, electrical, and plumbing systems, as well as a review of the Town's AV/Broadcast video system; and

WHEREAS, the evaluation phase described above has been completed and the Town desires to move forward with the second phase of this project, which includes various design and architectural services for the Town's AV Broadcast Video System in the Town Council Chambers at a cost not to exceed \$52,850.

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be charged to Special Ordinance 2216, account C-07-19-221-6D1, under Purchase Order No. 20-03332 and prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield as follows:

1. FVHD Architects and Planners, LLC be and hereby is awarded a contract for Phase 2 of the meeting room upgrade project as described above; and
2. The term of the contract will be for a term of one (1) year; and
3. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO. 2020

CODE REVIEW & POLICY COMMITTEE

OCTOBER 13, 2020

**RESOLUTION OF THE TOWN OF WESTFIELD, COUNTY OF UNION,
STATE OF NEW JERSEY, DELINEATING AN AREA IN NEED OF
REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to delineate an area within the Town as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, *N.J.S.A. 40A:12A-14* provides that “where warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality”; and

WHEREAS, Town Planner, Donald B. Sammet, PP/AICP, and Town Engineer, Kris McAloon, PE, had been directed to investigate whether the Town in its entirety (the “**Study Area**”) qualified as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Mr. Sammet and Mr. McAloon prepared a report entitled “*Town of Westfield Area in Need of Rehabilitation Study*” dated August 26, 2020 which is attached hereto as Exhibit A (the “**Study Report**”); and

WHEREAS, the Study Report concludes that because (a) a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance and (b) because more than half of the housing stock in the Study Area is at least 50 years old, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on September 8, 2020, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on October 5, 2020, the Planning Board returned this resolution and Study Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Governing Body finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the Study Report and the Planning Board's recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. Based upon the facts reported in the Study Report and the recommendation of the Planning Board, the Mayor and Council find that the Study Area, consisting of the entirety of the Town of Westfield, meets the eligibility criteria of *N.J.S.A. 40A:12A-14* for designation as an area in need of rehabilitation in that (a) a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance and (b) more than half of the housing stock in the Study Area is at least 50 years old. The Mayor and Council further find

that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall development of the Town of Westfield in accordance with the requirements of *N.J.S.A.* 40A:12A-14.

2. The Mayor and Council hereby delineates the Study Area and all of the properties therein as an area in need of rehabilitation (hereinafter, the Study Area shall be the “**Rehabilitation Area**”), which delineation allows the Mayor and Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A.* 40A:12A-21, *et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area.

3. The Mayor and Council hereby directs the Town Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.

4. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

5. This Resolution shall take effect immediately.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

OCTOBER 13, 2020

WHEREAS, sealed bids were received by the Town Clerk on October 7, 2020 for the **2021 Curbside Collection of Recyclable Material** in Westfield, New Jersey as authorized by Public Works Account 137-245, and

WHEREAS, the Town Engineer has determined that the lone bid submitted far exceeded the amount budgeted by the Town, and is therefore rejected.

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is hereby authorized to re-bid for the **2021 Curbside Collection of Recyclable Material**.